

ROE LEGAL DOCUMENTATION

"THE" GRAVES LIGHT

All copies of easements, leases, licenses, permits and deeds, if any, follow this cover page.

This enclosure includes the following documents:

1. Copy of an "Act to cede to the United States" from the Commonwealth of Massachusetts dated April 22, 1903.

Commonwealth of Massachusetts.

In the Year One thousand Nine Hundred and Three.

AN ACT

To Cede to the United States Government Jurisdiction over a Tract of  
Land, called The Graves, near the Entrance to the Harbor of Boston.

Be it enacted by the Senate and House of Representatives in General  
Court assembled, and by the authority of the same, as follows:-

Section 1. The right, title and interest of the Commonwealth and  
jurisdiction is hereby granted and ceded to the United States over that  
tract of land situated in Boston harbor, described and bounded as fol-  
lows, to wit:- Beginning at a point two and eleven sixteenths statute  
miles north thirty-four degrees twenty-eight minutes east from the cen-  
tre of Boston light tower on Little Brewster island; thence continuing  
along the same straight line north thirty-four degrees twenty-eight  
minutes east, twelve hundred and forty-four feet; thence turning an an-  
gle of ninety degrees and running south fifty-five degrees thirty-two  
minutes east, three hundred and fifty feet; thence turning an angle of  
ninety degrees and running south thirty-four degrees twenty-eight min-  
utes west, twelve hundred and forty-four feet; thence turning an angle  
of ninety degrees and running north fifty-five degrees thirty-two min-  
utes west, three hundred and fifty feet to the point of beginning; con-  
taining four hundred and thirty-five thousand square feet and including  
the ledges known as "The Graves", all as shown on a plan of the premises  
hereby ceded, filed in the office of the secretary of the Commonwealth,  
and dated March nineteen, nineteen hundred and three: provided, always,  
that this Commonwealth shall and does retain concurrent jurisdiction  
with the United States in and over the tract of land aforesaid, so

far as that all civil and criminal processes issuing under the authority of the Commonwealth may be executed on said land and in any buildings thereon, or which may be erected thereon, in the same manner as if jurisdiction had not been granted as aforesaid; and provided, also, that the exclusive jurisdiction shall revert to and revest in the Commonwealth whenever the said land shall cease to be used for a light and fog signal station.

Section 2. This act shall take effect upon its passage.

House of Representatives, April 21, 1903.

Passed to be enacted.

James J. Myers, Speaker.

In Senate, April 21, 1903.

Passed to be enacted.

George R. Jones, President.

April 22, 1903.

Approved.

John L. Bates.

Office of the Secretary,

Boston, April 22, 1903.

A true copy.

Witness the Great Seal of the Commonwealth.

Seal.

Wm M. Olin,

Secretary of the Commonwealth.

*L.J.M.*  
Boston, May 28, 1903

at 3 o'clock and 35 minutes P.M.  
Received and Entered with Suffolk Deeds.  
Libro 2901 Page 545

Attest Chas. W. Kimball  
Asst. Register.

(1) act to cede to the  
U. S. Government jurisdiction  
over "The Graves" near  
entrance to Boston Harbor,  
Mass.

Approved Apr. 22, 1903.



U.S. Department  
of Transportation

United States  
Coast Guard



Commander  
Maintenance and Logistics Command  
Atlantic

300 East Main St., Suite 400  
Norfolk, VA 23510-9100  
Staff Symbol: lg  
Phone: (757) 628-4212  
Fax: (757) 628-4451  
Email:

11011  
03-16935

## MEMORANDUM

JUN 18 2003

From: *M. Padilla for*  
P. R. RASCOE, LCDR  
MLCLANT (lg)

Reply to lg  
Attn of: M. Padilla  
757 628 4212

To: CEU PROVIDENCE

Subj: REPORT OF EXCESS NO. 01-18P-02L, EXCESSING OF PROPERTY AT GRAVES  
LIGHT, MASSACHUSETTS BAY, MASSACHUSETTS

Ref: (a) Real Property Management Manual, COMDTINST M11011.10  
(b) Utilization and Disposal of Real Property, MLCLANTINST 11011.1  
(c) COMDT COGARD Washington DC 21 MAR 96

1. The attached Proceedings of a Report of Excess (ROE) has been submitted for review pursuant to references (a), (b) and (c). My comments are set forth below.
2. As this Report involves the disposition of land, an Attorney's Report of Title (AROT) is attached hereto.
3. Subject to the comments herein, I hereby certify that the legal aspects of the enclosed documents and all attachments thereto are legally sufficient pursuant to the requirements contained in references (a), (b) and (c). If you have any questions regarding the matters discussed in this letter, please contact me at (757) 628-4192.

#

Encl: (1) Report of Excess No. ROE-01-18P-02L  
(2) AROT  
(3) Property files

Copy: MLCLANT (sr)

ATTORNEY'S REPORT OF TITLE  
GRAVES LIGHT  
MASSACHUSETTS BAY, MA

I certify that I have examined the available real estate records of the Office of the Commanding Officer, U. S. Coast Guard Civil Engineering Unit Cleveland, Cleveland, Ohio.

On the basis of such examination, I conclude that fee simple title to the property described in Schedule "A," attached hereto as Enclosure (1), was vested in the United States of America by a Cession Act dated April 21, 1903 and entered in Libro 2901, page 545 of the records of Suffolk County, Ohio. A copy of the cessation document is attached hereto as Enclosure (2).

I conclude that the property rights described in Schedule "A" have continued in the United States from the date of acquisition up to and including the date of my examination.

There is no record of any action, thing, or circumstance that has occurred from the date of acquisition of these property rights by the United States to the date of this report, which has in any way affected the right, title, and interest of the United States in and to the property described in Schedule "A," except as described in this document.

The title is free and clear of all encumbrances, defects, or interest impairing or adversely affecting the title to said properties except for the following:

1. Subject to any state of facts which may be disclosed by a physical examination of the premises described in Schedule "A."
2. Subject to any state of facts which may be disclosed by an accurate and adequate survey of the premises described in Schedule "A."
3. Subject to any existing easements, permits, or licenses for public roads and highways, for public utilities, for pipelines, for drainage and sewer lines, or for other use of the premises described in Schedule "A."

The United States has exclusive legislative jurisdiction over the subject property.

The property is subject to tidal flooding.

It is unknown if the property contains jurisdictional wetlands.

The property is listed on the National Register of Historic Places.

There are no known underground storage tanks currently on the property.

Polychlorinated biphenyls (PCBs) may have been used on the property being excessed in the form of electrical power switches.

Due to the age of the property, lead-based paint and asbestos may be located within or on the structure.

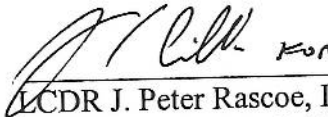
The property has an operating sound signal.

The property has an arc of visibility requirement of 360 degrees as described in Schedule "B."

The property is not located on an Indian Reservation and does not qualify under PL 93-599 for transfer to the Indians.

The property is not located within the corporate limits of any municipality.

6/19/03  
Date

  
LCDR J. Peter Rascoe, III  
GENERAL LAW BRANCH  
MAINTENANCE AND LOGISTICS  
COMMAND, ATLANTIC

SCHEDULE "A"

U. S. COAST GUARD SITE  
GRAVES LIGHT  
MASSACHUSETTS BAY, MA

All that tract of land situated in Boston Harbor and described and bounded as follows, to-wit:- Beginning at a point two and eleven sixteenths statute miles north thirty-four degrees twenty-eight minutes east from the center of Boston Light tower on Little Brewster Island; thence continuing along the same straight line north thirty-four degrees twenty-eight minutes east, twelve hundred and forty-four feet; thence turning an angle of ninety degrees and running south fifty-five degrees thirty-two minutes east, three hundred and fifty feet; thence turning an angle of ninety degrees and running south thirty-four degrees twenty-eight minutes west, twelve hundred and forty-four feet; thence turning an angle of ninety degrees and running north fifty-five degrees thirty-two minutes west, three hundred and fifty feet to the Point of Beginning; containing four hundred and thirty-five thousand square feet and including the ledges known as "The Graves", all as described in the Act to grant title and cede jurisdiction from the Commonwealth of Massachusetts to the United states dated April 22, 1903 and recorded in the Office of the Secretary of the Commonwealth and entered in the records with Suffolk Deeds in Libro 2901, page 545 on May 28, 1903.